



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/540,341

06/21/2005

Scott Eugene Conner

X-15463

1424

25885

7590

02/28/2008

ELI LILLY & COMPANY

PATENT DIVISION

P.O. BOX 6288

INDIANAPOLIS, IN 46206-6288

EXAMINER

CHU, YONG LIANG

ART UNIT

PAPER NUMBER

1626

NOTIFICATION DATE

DELIVERY MODE

02/28/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

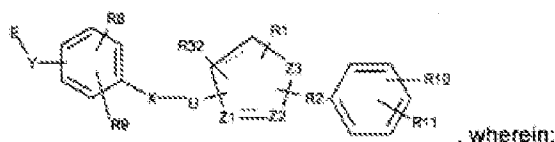
Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@lilly.com

DETAILED ACTION

Claims 1-43, 45-53, and 59-67 have been cancelled by the Amendment filed 12/21/2007. Claims 68 and 69 are new by the Amendment. Claims 44, 54-58, 68, and 69 are pending in the instant application.

The amendment filed on 12/21/2007 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the previous elected and examined subject matter is the compounds of formula



R2 is a single bond, and bond to Z3;

X is a single bond;

Y is a single bond;

E is $-\text{CH}_2\text{COOH}$;

R1 is H; R8 is H, or alkyl; R9 is H or alkyl;

R10 is CF_3 ; and R11 is H;

R32 is H, $\text{C}_1\text{-C}_6$ alkyl, or $\text{C}_1\text{-C}_6$ alkyloxy;

U is an aliphatic linker replaced with an O;

Z1 is C; Z2 is N, and Z3 is N;

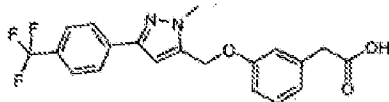
and the remaining substituents are as defined in claim 1.

X is a single bond; U is an aliphatic linker replace with O, which is different from the subject matter is the amended claims 44, and 54-58, wherein X is a single bond; U is an $-\text{CH}_2-$ linker, but not an aliphatic linker replace with O (e.g. $-\text{Et-CHCH}_2\text{O-}$) as shown in the elected species and elected subject matter.

Claims 68 and 69 are related to the compound

Example 151

{3-[2-Methyl-5-(4-trifluoromethyl-phenyl)-3H-pyrazol-3-ylmethoxy]-phenyl}-acetic acid



, wherein **R2** (a single bond) is not

bonded to **Z3** (-N). Therefore, the remaining claims are not readable on the elected invention.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yong Chu whose telephone number is 571-272-5759. The examiner can normally be reached between 7:00 am - 3:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph K. McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yong Chu, Ph.D.
Patent Examiner
Art Unit 1626

/Joseph K. McKane/
Supervisory Patent Examiner
Art Unit 1626